

In Re Senator Henry Cabot Lodge.

SOME OF THE RECORD OF HENRY CABOT LODGE,
UNITED STATES SENATOR FROM MASSA-
CHUSETTS, DURING THE 59TH AND 60TH
CONGRESSES, WITH REFERENCE TO
LABOR AND HUMANITARIAN
LEGISLATION.

*59th Congress, 1st Session., December 4th, 1905, to June 30,
1906.*

Some of the Bills Senator Lodge introduced in the Senate.

S. 691. To regulate the employment of *Child Labor*. Referred to the Committee on Education and Labor, of which Mr. Lodge was not a member. Reported back adversely. Action indefinitely postponed. Congressional Record, pp. 7126. (Only bill of its kind introduced in the Senate, 1st session of 59th Congress).

S. 695. To Increase Pensions of Army Nurses. Cong. Rec., pp. 150.

S. 696. To Prevent the Desecration of the United States Flag. Cong. Rec., pp. 150. First referred to the Committee on Judiciary, of which Mr. Lodge was not a member. Later, reference changed to Committee on Military Affairs, of which Mr. Lodge was a member. Pp. 3716, Cong. Rec.

(This Bill was introduced and became a Law at the next session).

S. 1027. To further regulate undesirable immigration. Cong. Rec., pp. 221.

S. 1028. To further regulate undesirable immigration. Cong. Rec., pp. 221.

(Both of the above Bills were referred to the Committee on Immigration, of which Mr. Lodge was a member. These Bills were considered for some time and parts of them incorporated

into a new comprehensive Immigration Act (S. 4403), which did not contain his reading and writing test provision. Mr. Lodge, on May 23rd, 1906, offered as an amendment his reading and writing provision, which was adopted and the Bill passed the Senate. This was the sixth time that Mr. Lodge had secured the passage of this Test through the Senate. It was stricken out in conference during the next session, as the result of the House having, by a narrow majority, substituted an Investigation Commission to study the question. Mr. Lodge was appointed on this Commission, which after four years of investigation and the expenditure of almost \$1,000,000 unanimously reported in favor of curbing the present enormous influx of unskilled cheap labor, that comes merely to save by parsimonious economy and then to return to its native land with its hoardings. Eight of the nine Commissioners, including Mr. Lodge, recommended the enactment of the reading and writing test, as "the most feasible method of excluding undesirable immigration."

S. 1029. Naturalization Law, pp. 221, Congressional Record. Referred to Senate Immigration Committee, of which Senator Lodge is a member, and which reported in June a new comprehensive Naturalization Act along the lines of Senator Lodge's Bill. The House passed the measure first, partly through the efforts of Congressman Gardner, who has always been a member of the House Immigration Committee. The Senate subsequently reported the House Bill, which became a law in June 1906.

S. 1346. To Fix Pay of Customs Inspectors, pp. 272, Cong. Rec.

S. 3420. To Fix Pay of Customs Inspectors, pp. 1213, Cong. Rec.

S. 4970. To Regulate Commutation of United States Prisoners for Good Conduct, pp. 3571, Cong. Rec.

S. 5750. To Preserve Niagara Falls, pp. 5363, Cong. Rec. (Compromise between this Bill and H. R. 18,024 became a law), pp. 9807, Cong. Rec.

S. 6091. To Regulate the Licensing of Plumbers, Gas-fitters, Fixture Hangers, Etc., in D. of C., pp. 6550, Cong. Rec.

Some of the Remarks and Speeches Delivered by Senator Lodge in the Senate during the 1st Session of the 59th Congress.

He spoke in favor of:

Employer's Liability, pp. 1743, Cong. Rec.

Immigration Regulation, pp. 7227-7234, 7280, 7287-7290.

On May 23rd, 1906 (pp. 7300, Cong. Rec.), when a move was made which would have weakened and made easy the evasion of the Contract Labor provision, which had been strengthened by the Senate Committee in its Bill (S. 4403), by allowing the importation of Contract Laborers purporting to come as "agricultural laborers," Senator Lodge said, among other things:

"The object of the Contract Labor Law is to shut out the importation of large bodies of cheap labor. I would rather see every exception wiped from the Statute Books than this exception incorporated. The Contract Labor Laws of today are ineffective enough. They are the most valuable part of existing laws, in my judgment, but are sadly ineffective owing to the difficulty of finding evidence, and carrying on prosecutions. If we should except agricultural laborers (from its provisions as proposed by Senators Bacon, Clay and others) we might as well abolish the Contract Labor Laws altogether, in my judgment."

The amendment was defeated. The attempt, however, to tack it on to the Bill was renewed again in February, and fought successfully by Senator Lodge. The Immigration Bill (S. 4403) became a law February 20th, 1907. It raised additional funds for the better enforcement of the law and for the better care and treatment of immigrants awaiting inspection, excluded imbeciles, certain insane persons and other undesirable; provided for an investigating commission and required better steerage conditions.

(Senator Lodge's immigration speech of March 16th, 1896, U. S. S., is regarded by students of the question and labor leaders as one of the ablest arguments ever made for the protection of the American laboring man, whether native or foreign born, against the ruinous competition of foreign cheap labor, by means of the reading and writing and other tests.)

(Another speech of Senator Lodge equally able was delivered before the Boston City Club, at Boston, Mass., on March 20th, 1908, and has been printed as Sen. Doc. No. 423, 60th Cong., 1st Ses.)

Pure Food. Pp. 1132, Cong. Rec.; *Railroad Rate Legislation; Meat Inspection.* Pps. 8767-8769, Cong. Rec.

Etc., Etc.

Senator Lodge was the administration's spokesman all during this and the next Congress, on the floor of the Senate and furthered all of President Roosevelt's progressive measures.

*50th Congress, 2nd Session. December 3rd, 1906 to
March 4th, 1907.*

Some Bills introduced:

S. 6730. To Regulate Child Labor in the District of Columbia, pp. 53, Cong. Rec. (As noted above, provisions of Senator Lodge's Bill, together with Senator Beveridge's Bill, subsequently became law). (Mr. Lodge was not a member of the Senate Committee to which his Bill had to be referred; but Senator Beveridge was Chairman). (Senator Lodge also introduced an amendment to this Act).

S. 5083. To remedy defects in and increase airspace in the steeage of immigrant-carrying vessels. In 1907, Senator Lodge, as one of the conferees, secured the insertion of Section 42, of the Act of February 20, 1907—a section drawn by the United States Commissioner of Navigation at the Senator's request and which was aimed at remedying the intolerable steeage conditions, or "Inferno of the third class." S. 5083 cured certain defects in that law, becoming a law December 16, 1908.

*Some of the Remarks and Speeches Delivered by Senator Lodge
in the Senate During the 2nd Session of the 50th
Congress.*

He spoke in favor of:

Child Labor Legislation. Pp. 197-199, 200-204, Cong. Rec.
Food Standards or Pure Food. Pp. 3641-3643, Cong. Rec.

Contract Labor Law and Immigration Legislation, February 12 to 17th, 1907.

Hours of Service Legislation. Pps. 821, 824, 888, 990, Cong. Rec.

For instance, in support of Senator Dolliver's contention, he said:

"I wish to ask the Senator if he noticed the statement of the engineer of the freight or equipment train, which ran into a passenger train here at Terra Cotta, just outside the city, causing frightful disaster? If I remember his statement correctly, he had been on duty from 9 o'clock Friday morning—for a period of more than 48 hours—until the time of the accident. * * * He had only two periods of sleep of four hours each."

(Senator Lodge voted against substituting the La Follette "Hours of Service Bill" for the Senate Committee Bill, which was done, however; voted against an amend-

ment substituting therefor the Brandegee Bill (pp. 891, Cong. Rec.) voted for the La Follette amendment, which carried. Senator Lodge voted also for two other short amendments which failed. Senator Lodge voted in favor of the Bill on its final passage January 10th, 1907, although it did not contain the two amendments for which he had voted and did contain an amendment against which he had voted. One Senator voted against it and nineteen are recorded as "not voting," there being only three pairs.

Note.—Senator Lodge's amendment to the Pure Food Law was adopted, requiring the amount of opium and alcohol to be printed on the wrapper and label.

Note.—Senator Lodge voted against the return of the "army canteen."
60th Congress, 1st Session, December 2d, 1907, to May 31, 1908.

Some bills introduced by Senator Lodge :

S. 564. Child Labor. Referred to Committee on Education and Labor, of which Senator Lodge was not a member, and of which Senator Beveridge was chairman, pp. 2422 Cong. Rec. The committee reported a new Bill, embodying some of Senator Lodge's Bill. In the Senate, Mr. Lodge worked against and opposed the Piles and Nelson amendments, which labor leaders and settlement workers said would have weakened the law.

S. 4122. To Establish an National Training and Industrial Institution.

S. 7005. To Promote Industrial Education.

S. 6975. To Provide Increased Force and Salaries in the Patent Office.

Resolution, To Print Certain Immigration Statistics.
Adopted.

Étc., etc.

Some Remarks and Speeches of Senator Lodge During the 1st Session of the 60th Congress.

In favor of Automatic Signal Service, pp. 6736, Cong. Rec.

In favor of Child Labor Legislation, pp. 5795-5799.

In favor of Legislation to Prevent the Desecration of the American Flag. (His Bill (S. 565) whose reference had been transferred to the Committee on Military Affairs, of which he was a member, was reported and passed) pp. 6599, Cong. Rec.

In favor of Naturalization Law, pp. 4103, Cong. Rec.

In favor of the needed Increased Pay for Railway Mail Clerks. Etc., etc., etc.

On April 9th, 1908, Senator Lodge failed to vote on Employees (Government) Liability Bill, for which he had spoken as indicated above, and along whose lines he had introduced a bill, having a general pair with Senator Clay, who was in poor health and who has since died. As early as the 54th Congress Senator Lodge introduced a Bill (S. 1415) "To Regulate the Liability of Employers"; a Bill (S. 1416) "To Protect the Wages of Employees;" (S. 1417, "To Regulate the Employment of Labor on Public Works, Buildings and Grounds." He says that his failure to vote on April 9th, 1908, was due to his absence from Washington for a number of days at that time owing to the illness and death of his sister. The Congressional Record shows he was away several days at this time. (His absence from the Senate is rare.)

60th Congress, 2nd Session, December 7th, 1908-March 4th, 1909.

Some Bills introduced:

S. 8025. Granting 30 days Leave with Pay to Government Employees in Arsenals. Referred to Committee on Military Affairs.

S. 8397. To Authorize Maintenance of Action for Causing Death in Marine Service. Pp. 792, Cong. Rec. (Referred to Committee, which reported it favorably. Debate unfinished).

S. 8021. To Prohibit Importation and Use of Opium. Reported. Speech of Senator Lodge, pp. 1396-1399. Passed Senate, pp. 1400.

Etc., etc.

61st Congress, 2nd Session.

Note.—It was Senator Lodge's amendment which included Pipe Lines of the Standard Oil Company in the Railroad Rate Law as Common Carriers, thereby bringing them under the control of the federal government.

Note.—Senator Lodge reported from his Committee on Immigration, H. R. 12315, with majority report. There was great opposition to this White Slave Traffic Act, which was drawn by certain United States District Attorneys, who were engaged in the prosecution of the white slaves as a result of the Immi-

gration Commission's investigations (Mr. Lodge was a member of this Commission). The Bill was hung up in the House for weeks and debated at great length, finally passing. A weak and ineffectual bill was passed, which almost served the purpose of side-tracking this efficiently drawn bill. On the last day of the session Senator Lodge called up the really effective bill in the face of objection and secured its passage (Cong. Rec., pp. 8939, 9507). It is Public Statute No. 886 and the only really scientifically drawn White Slave Law that has ever passed Congress.

Note.—Senator Lodge worked for the Bill which passed, making Common Carriers, that is Railroads, liable to employees for injuries in certain cases where they could not recover under the fellow-servant rule.

Note.—Senator Lodge favored and worked for the Bill, H. R. 20310, extending the liability of Common Carriers. He failed to vote on this measure April 22nd, 1908, having a general pair with Senator Clay, whose health was poor and who was against the Bill because it would, in his opinion, infringe and invade the rights of the States and would operate, in his opinion, to suspend the Georgia Statute. (Cong. Rec., pp. 4538). He did vote for H. R. 17263, April 1st, 1910, which cured a serious defect in H. R. 20300 in regard to the "survival of the right of action," and had a somewhat bitter dispute in the Senate that day with Senator Hale, who was fighting the bill, over getting an immediate vote (Cong. Rec., pp. 4204).

Note.—Senator Lodge was ill at home the day the Hughes' Amendment was voted upon and under a doctor's care and did not know it was coming up, June 2nd, 1910. The Congressional Record shows that he was absent and paired. He would have voted "Nay."

NOTES IN GENERAL.

Senator Lodge, when a member of the House, wrote the first magazine article that appeared in favor of uniform brakes, patent automatic couplers, etc. It was entitled "A Perilous Business and Its Remedy," and is to be found in the North American for February, 1892.

On July 2d, 1894, he got his Bill up and secured its passage to remove the Statute of Limitations in so far as it prevented laborers, mechanics, etc., recovering under the Eight Hour Law.

The following quotation which is an extract from a speech that he delivered in New York City, December 22d, 1884, is

almost prophetic. It is taken from the first speech in a volume entitled, "Speeches and Addresses of Henry Cabot Lodge," published by Houghton, Mifflin and Co., and represents the stand which he has consistently taken throughout his long career as a public servant.

"The destiny of the Republic is in the welfare of its working men and women. We cannot push their troubles and cares into the background and trust that all will come right in the end. Let us look to it that differences and inequalities of conditions do not widen into ruin. It is most true that these differences cannot be rooted out but they can be modified and a great deal can be done to secure to every man the share of well-being and happiness to which his honesty, thrift and ability entitle him. Legislation cannot change humanity nor alter the decrees of nature; but it can help the solution of these great problems.

"Practical measures are plentiful enough; the hours of labor; emigration from our over-crowded cities to the lands of the West; economical and energetic municipal governments; proper building laws; the rigid prevention of adulteration of the great staples of food; wise regulation of the railroads and other great corporations; the extirpation of race and class in politics; above all, every effort to secure to labor its fair and full share of the profits earned by the combination of labor and capital. Here are matters of great pith and moment, more important, more essential, more pressing than any others. They must be met, they cannot be shirked or evaded."

In Senator Lodge's speech on the Regulation of Immigration, March 16th, 1896, delivered in the Senate of the United States, among other things, he said:

"I have said enough to show what the effects of this Bill (which contained the reading and writing test just recommended by the Immigration Commission and endorsed by the American Federation of Labor) would be and that if enacted into law it would be fair in its operation and highly beneficial in its results. It now remains for me to discuss the second and larger question as to the advisability of restricting immigration at all. There is no one thing which does so much to bring about a reduction of wages and to injure the American wage-earner as the unlimited introduction of cheap foreign labor through unrestricted immigration. Statistics show that the change in the character of our immigration has been accompanied by a cor-

responding decline in its quality. The number of skilled mechanics and of the persons trained to some occupation or pursuit has fallen off while the number of those without occupation or training—that is, who are totally unskilled, has risen in our recent immigration to enormous proportions. This low, unskilled labor is the most deadly enemy of the American wage-earner and does more than anything else toward lowering his wages and forcing down his standard of living. An attempt was made with the general assent of both political parties to meet this crying evil by the passage of what are known as contract labor laws. That legislation was excellent in intention but has proved of but little value in practice. It has checked to a certain extent the introduction of cheap low-class labor in large masses into the United States. It has made it a little more difficult for such labor to come here but labor of this class continues to come even if not in the same way and the total amount of it has not been materially reduced. Even if the contract labor laws were enforced intelligently and thoroughly there is no reason to suppose that they would have any adequate effect in checking the evil which they were designed to stop. It is perfectly clear after the experience of several years that the only relief which can come to the American wage-earner from the competition of low-class immigrant labor must be by general laws restricting the total amount of immigration and framed in such a way as to affect most strongly those elements of immigration which furnish the low, unskilled and ignorant foreign labor.

"It is not necessary to enter further into a discussion of the economic side of the general policy of restricting immigration. In this direction the argument is unanswerable. If we have any regard for the welfare, the wages or the standards of life of American working men we should take immediate steps to restrict foreign immigration. There is an appalling danger to the American wage-earner from the flood of low, unskilled, ignorant foreign labor which has poured into the country for some years past and which not only takes lower wages but accepts a standard of life and living so low that the American working man cannot compete with it."

Extracts from the conclusion and recommendations (a forty page summary of a forty volume report) of the United States Immigration Commission, of which Senator Lodge was a member; (Senate Document 680, 61st Congress, 3d Session):

"The investigations of the Commission show an oversupply of unskilled labor in basic industries * * * * * as a whole and therefore demand legislation which will at the present time restrict the further admission of such unskilled labor."

"As far as possible the aliens excluded should be those who * * * * * come merely to save enough by the adoption, if necessary, of low standards of living to return permanently to their home country * * * * *. A majority of the Commission favor the reading and writing test as the most feasible single method of restricting undesirable immigration. The Commission as a whole recommends restriction as demanded by economic, moral and social considerations, furnishes in its report reasons for such restrictions and points out methods by which Congress can obtain the desired results if its judgment coincides with that of the Commission." (The report of forty volumes is conclusive and renders conclusions and recommendations other than those of the Commission absolutely inevitable. It is right in line as is the Senator's stand with the attitude of both political parties as declared in their past national platforms, the resolutions and demands of the American Federation of Labor, the Knights of Labor, the Railroad Brotherhoods, the patriotic societies, boards of charities, etc., etc.)

(PUBLISHER'S NOTE). ✓

Published by the National Legislative Committee of the American Purity Federation (Rev. B. S. Steadwell, President; Rev. Floyd W. Tompkins, 1st Vice-President; Judge Ben B. Lindsey, 2nd Vice-President); J. H. Patten, Chairman, Room 50, Bliss Building, Washington, D. C. We must be loyal to our friends. The cause of progressive purity legislation has no better friend or more effective champion than Senator Lodge. This publication is issued without any suggestion, direct or indirect, or even knowledge on his part so far as the Federation knows, and is entirely of its own free notion and motion, with a single view to trying to refute misrepresentations of the great work he has done here against the adulteration of foods, the white slave traffic, the unhealthy, unsanitary and immoral conditions existing on some of the transatlantic steamships, the importation and use of opium, child labor, and the many other pieces of legislation in which he has always industriously and patriotically interested himself so effectively. It is not strange that the opposition to these and other reforms should subtly, insidiously, and more or less plausibly stir up much opposition to the Senator's re-election in one ingenious way or another, as they are the most resourceful influence that makes itself felt here in Washington. Mr. H. E. Wills, who is the National representative of all the organized railroad men of the country, voices the universal sentiment when he says that Senator Lodge has always been absolutely fair and square with them in matters of legislation, and that he will welcome his re-election.

The following editorial appeared in the *Washington Post*, December 13, 1910. *The Post* is the leading daily in Washington, D. C., is Democratic in politics, and is really owned by Mr. John R. McLean, for sometime Democratic candidate for election to the United States Senate before the present Ohio Legislature.

HENRY CABOT LODGE.

With the retirement of Senators Aldrich and Hale, on March 4 next, Henry Cabot Lodge, of Massachusetts, will rank fourth in length of continuous service in the Senate. He is next to Senators Frye, Cullom, and Gallinger, having begun his service March 4, 1893. He was prominent from the first, as he had already served Massachusetts with exceptional ability for four terms in the House of Representatives. Mr. Lodge's usefulness to the country has steadily increased, and he now stands in the very first rank of American statesmen.

When the late William B. Allison was confronted with some opposition in Iowa, and it appeared possible that local differences might bring about his retirement from the Senate, *The Post* suggested that the people of Iowa should give due consideration to their national as well as local duties in connection with the senatorship. Senator Allison was no longer an Iowan, but an American, doing a work in behalf of all the people, for which he had become peculiarly fitted. The people of Iowa recognized this fact, and returned him to the place where he belonged.

Everything then said in regard to Senator Allison applies to Senator Lodge now. The State of Massachusetts is strong in the national councils by reason of his long and honorable career. He serves the country, as well as Massachusetts and New England. The country has a right to ask that senators who have reached high places shall be kept where their experience and ability can be exercised for the general welfare.

New England has held a commanding position in Congress by reason of the long service and high character of her representatives in the Senate and House. This position will be materially weakened by the retirement of Senators Aldrich and Hale. It would be a mistake on the part of Massachusetts to impair the strength of its delegation by retiring Senator Lodge. No successor, however prominent locally, or however able, could hope to reach the place occupied by Mr. Lodge without serving an equal number of years, and during the interval strong men from other sections would be coming to the front.

The interest of Massachusetts, New England, and the country at large will be furthered by the re-election of Senator Henry Cabot Lodge.